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18 HUHTAMAKI, INC.

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1 pending discovery issues prior to the close of discovery.

2 3. The parties exchanged initial disclosures and written discovery in October and
3 November 2021.

4 4. On December 20, 2021, the parties produced discovery responses and documents.

5 5. On January 10, 2022, Defendant sent Plaintiff a discovery meet and confer letter
6 requesting that Plaintiff cure various deficiencies in his written responses and document production.
7 The parties have continued to meet and confer regarding these issues over the last month.

8 6. Among other things, a critical discovery issue concerns Plaintiff's identification of his
9 health-care providers, production of medical records relating to his claimed disability and emotional
10 distress, production of his applications and related documents for his attempt to obtain state disability
11 benefits, and production of text messages of which Defendant contends are central to its defense to
12 Plaintiff's various disability related claims. Plaintiff has opposed the production of this information
13 on various grounds and the parties endeavoring to work through these issues without the intervention
14 of the Court and prior to the taking of depositions. However, should they be unable to resolve these
15 issues the parties anticipate filing a joint discovery letter with the magistrate judge within the next two
16 weeks, pursuant to the magistrate's standing order regarding procedures for discovery disputes.

17 7. Given the pendency of and the time it will take to resolve these discovery issues (either
18 with or without Court assistance), counsel for the Parties' respective work schedules (counsel for
19 Defendant is preparing for and going to be involved in collective bargaining for Defendant in March
20 and April and counsel for Plaintiff will be involved in an arbitration in March and April), it is highly
21 unlikely that Plaintiff will be able to obtain the information (to the extent it is in the possession of third
22 parties such as health care providers and state benefits boards, etc.) and Defendant will be afforded
23 the time necessary to fully review the documents, prepare for and take Plaintiff's deposition by the
24 April 6, 2022 deadline.

25 8. Moreover, while Plaintiff has already noticed depositions of Defendant's PMK, and
26 other percipient witnesses, Plaintiff has been unable to conduct depositions to date because Plaintiff's
27 counsel was required to attend to and care for his ill father who underwent surgery on January 18,
28 2022 and is still in recovery.

STIPULATION TO EXTEND
DEADLINES AND MODIFY THE
SCHEDULING ORDER

1 9. In parallel to the pending discovery issues and the parties are also actively engaged in
2 good faith settlement discussions. If the parties cannot reach a private agreement within the next two
3 weeks, the parties have agreed to schedule a private mediation to take place within the next 90 days

4 10. In short, the parties would like additional time to try and exhaust settlement discussions
5 and to mediate the case while still affording them the time necessary to resolve their discovery dispute
6 and conduct depositions.

7 11. This is the parties' first request to extend any deadlines in this case. Further, the
8 extension sought in this case will not prejudice any trial date as no trial date has been set by the Court
9 in this case.

10 12. Counsel for both parties respectfully request that this Court extend all deadlines in the
11 case (including, but not limited to the fact discovery deadline, the expert disclosure and discovery
12 deadline and the dispositive motion deadline) by 90 days (i.e. up to and July 5, 2022). This will afford
13 the time necessary to resolve their exhaust settlement discussions, mediate the case and, if
14 unsuccessful resolve their discovery dispute and complete discovery.

15 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

16 Dated: February 16, 2022

LITTLER MENDELSON P.C.

17 _____
18 /s/ *Michael W. Nelson*
19 GREGORY G. ISKANDER
20 JAMES P. SMITH
21 MICHAEL W. NELSON

22 Attorneys for Defendant
23 HUHTAMAKI, INC.

24 Dated: February 16, 2022

LIBERTY MAN LAW

25 _____
26 /s/ *Arash S. Khosrowshahi*
27 ARASH S. KHOSROWSHAH

28 Attorneys for Plaintiff
29 RAYMUNDO CALDERA III

30 STIPULATION TO EXTEND
31 DEADLINES AND MODIFY THE
32 SCHEDULING ORDER

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ORDER

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The above **STIPULATION TO EXTEND DEADLINES AND MODIFY THE**
SCEDULING ORDER is approved for this case. The deadline to complete non-expert discovery
is extended to July 5, 2022. All other deadlines described in the initial scheduling order, including
expert discovery and dispositive motions, are also extended by 90 days.

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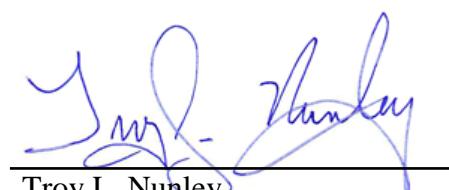
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IT IS SO ORDERED.

Dated: February 16, 2022



Troy L. Nunley
United States District Judge

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STIPULATION TO EXTEND
DEADLINES AND MODIFY THE
SCEDULING ORDER